



Date: February 18, 1998

Case No.: 98-LCA-2

In the Matter of

UNITED STATES DEPARTMENT OF LABOR,

Plaintiff

v.

REPUBLIC CAPITAL GROUP, INC.,

Defendant

ORDER OF DISMISSAL

The above action arises as a result of a U.S. Department of Labor, Wage and Hour Division investigation, pursuant to the "Enforcement of H-1B Labor Condition Applications" regulations at 20 C.F.R. § 655.800, *et. seq.* On January 9, 1998, findings were made by the District Director, Employment Standards Administration, citing violations of § 655.805(a)(6) and § 655.805(a)(9). On January 15, 1998, objections to the Director's findings and a request for formal hearing was made by Mr. Bill Grant, Former President of Republic Capital Group, Inc.

However, by letter dated February 13, 1998, Mr. Bill Grant has advised that,

While I personally continue to object to the determination, Republic Capital Group, Inc., is no longer in business, and was administratively dissolved by the State of Florida on September 26, 1997. The corporation had no assets at the time of dissolution, and no corporate assets are in existence now. I now agree with the Department's position that I personally do not have a basis for challenging the determination, since there is no individual liability under H-1B. The objection and request for hearing that I mailed on January 15, 1998, are withdrawn, and I ask that this case be dismissed.

By letter dated February 13, 1998, Counsel for the Administrator has requested that, as there is no longer any objection to the Administrator's determination, the Violations and Remedies asserted therein should be affirmed.

It is, accordingly, Ordered that:

1. The objections and request for hearing submitted by Mr. Bill Grant on January 15, 1998, are recognized as having been withdrawn.
2. As no other objections to the Administrator's finding issued on January 9, 1998, have been filed, the Administrator's findings are now final and not appealable pursuant to 20 C.F.R. § 655.815(c)(3), and this matter is dismissed.

RICHARD E. HUDDLESTON
Administrative Law Judge